

REMARKS

This Amendment is submitted supplementary to the previous Amendment and in connection with the interview with the Examiner.

During the interview the Examiners indicated that in their opinion the brine with which the corn kernels are treated in accordance with the inventive process constitutes a food flavor, and therefore Claim 5 was readable on the references.

With the present Amendment Claim 5 has been amended to define that in addition to treatment of the corn kernels with the brine, and additional food flavor is provided during the drying step or soaking step which is not the brine.

This feature is disclosed in the specification, for example on page 2, in lines 20-22. These features of the present invention as now defined in Claim 5 are not disclosed in the references and could not be derived from them as a matter of obviousness.

It is respectfully submitted that Claim 5 as amended clearly and patentably distinguishes over the prior art and should be allowed.

The Examiner's attention is also respectfully directed to the features of Claim 12, which defines that the fixing agent of a surface coating for the corn kernels does not contain a food flavor. This feature is not disclosed in the prior art and therefore Claim 12 should be considered as patentably distinguishing over the art not only because it depends on the allow Claim 5, but also because it contains the patentably subject matter per se.

Reconsideration and allowance of the present application is most respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, he is invited to telephone the undersigned (at 631-549-4700).

Respectfully submitted,
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